IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13222 of 2004

Between:

1 K.V.V.Satyanarayana Reddy, s/o K.Ramakrishna Reddy,
R/o C-7, IDA, Uppal, Hyderabad.
2 K.Lalitha Reddy, w/o K.V.V.Satyanarayana reddy,
R/o C-7, IDA, Uppal, Hyderabad.
3 K.Ramakrishna Reddy, s/o late Gangi Reddy,
R/o C-7, IDA, Uppal, Hyderabad.

..... PETITIONERS

AND

1. The Govt., of A.P.rep., by its Secretary, Home Department, Secretariat,

Hyderabad.
2 The Sub Inspector of Police, Kandukoor Police Station,
Ranga Reddy District.
3 Ramineni Sudhakar Babu, s/o Shivaji,
r/o Flat No.18, Padmavathi Plaza, Kukatpally, Rangareddy District.
4 Ramineni Prasad, s/o Shivaji,
r/o S.R.R.College, Machavaram, Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or directions more particularly one in the nature of writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent No.2 in not accepting the complaint of the petitioner through his

counsel in upholding the exparte orders of not to interfere with the schedule proeprty to the extent of Ac.20.20 guntas in Sy.No.53, Ac.18.08 guntas in Survey No.54, Ac.8.00 guntas in Sy.No.57 and Ac.12.12 guntas in Survey No.58 to the extent of Ac.20-12 guntas out of total Ac.29.00 guntas situated at Pulimamidi Village, Kandukoor Mandal, Ranga Reddy District as illegal, arbitrary and unconstitutional.

Counsel for the Petitioners: MR.V.VENKATA KUMAR

Counsel for the Respondents 1 and 2: GP FOR HOME

Counsel for the Respondents 3 and 4:

The Court at the admission stage made the following:

ORDER:

The petitioner states that he filed O.S.No.686 of 2002 on the file of the Court of the I Additional Senior Civil Judge, Ranga Reddy District at L.B. Nagar against respondents 3 and 4 herein seeking a decree for perpetual injunction in respect of the property situated in Survey Nos.53, 54, 57 and 58 of Pulimamidi village, Kandukoor Mandal, Ranga Reddy District. He further states that by an order dated 18-06-2004 in I.A.No.1161 of 2004 in O.S.No.686 of 2002, the learned Judge granted an interim injunction in his favour. He alleged that in spite of the interim injunction, respondents 3 and 4 are obstructing his possession. Though he lodged a complaint on 01-07-2004 before the S.H.O. Pulimamidi village i.e., respondent No.2 herein praying to take cognizance of the unlawful obstruction, the Police failed to take any action. Hence, this writ petition seeking a declaration that the alleged inaction on the part of the respondents 1 and 2 is arbitrary and illegal.

Having heard the learned Counsel for the petitioner and the learned Government Pleader for Home and having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the 2nd respondent to process the complaint lodged by the petitioner according to law.

The writ petition is accordingly disposed of at the admission stage. No costs.

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28-07-2004

Note:

Office to furnish C.C. by tomorrow.

B/o

ghn

// TRUE COPY //

SECTION OFFICER

To

1. The Govt., of A.P.rep., by its Secretary, Home Department, Secretariat,

   Hyderabad.
2. The Sub Inspector of Police, Kandukoor Police Station,
   Ranga Reddy District.
3. Two CCs to the Government Pleader for Home, High Court of A.P.,

   Hyderabad.(O.U.T.)

4. Two CD copies